

**CRIMINAL DOCKET  
UNITED STATES DISTRICT COURT**

D. C. Form No. 100A Rev.

TITLE OF CASE	ATTORNEYS
<b>THE UNITED STATES</b>  vs.  <b>ALVINO RAY LA NEAR,</b>	<i>For U. S.:</i> Hubert H. Bryant Asst. U. S. Atty.
P. O. Box 4000 Springfield, MO 65802  Deft's address: 1636-N. Cheyenne Rm. 506, YMCA, Tulsa, Ok 741063 515 S. Denver PH: 583-6201	<i>For Defendant:</i> C. S. Lewis, III (ct. appt.) 1640 S. Boston Tulsa, Ok 74119

4-12-76  
P. O. Box 4000  
Springfield, MO 65802

2-16-78  
#39587-115  
P.O. Box 1000  
Leavenworth, Ks. 66048

STATISTICAL RECORD	COSTS	DATE	NAME OR RECEIPT NO.	REC.	DISB.
J.S. 2 mailed 2-1-75	Clerk				
J.S. 3 mailed 2-1-75	Marshal				
Violation Poss. of stolen mail; Uttering Title 18	Docket fee				
Sec. 1702 & 495					
2 Counts;					
1702: Ct. 1 - \$2,000 &/or 5 yrs.					
495: Ct. 2 - \$1,000 &/or 10 yrs.					

DATE	PROCEEDINGS
1-14-75	Case called for arraignment. Deft. present & represented. Govt. represented. Deft. waives indictment; waiver signed and filed in open court. Information read & filed in open court. Deft. arraigned and enters plea of GUILTY as to both counts. Deft. waives jury & waiver is signed and filed in open court. Sentencing set for 1-21-75, at 10:00 A.M. Deft. to remain on present bond. (AEB-J)b
1-14-75	Mag's papers filed.
1-14-75	Appearance Bond of Deft. in amt. of \$1,000.00, filed with Order Specifying methods & conditions of release. (AEB-J)
1-21-75	Case called for sentence. Deft. present & represented. Govt. represented. Deft. & counsel asked if they have anything to say before sentence is pronounced. Judgment & Sentence - Alvino Ray La Near Ct. 1 - Imposition of sentence is suspended and Deft. is placed on probation for a period of Four (4) years. Ct. 2 - Imposition of sentence is suspended and Deft. is placed on probation for a period of Four (4) years, to run concurrently with sentence imposed in Count 1. Conditions of probation are that Deft. stay employed; avoid criminal involvement & (OVER)

DATE	PROCEEDINGS
	make
1-21-75	association with criminals; & restitution of \$123.30, in monthly payments of \$5.00 to Clerk, beginning at the end of February, 1975. (AEB-J)b
1-21-75	Judgment & Order of Probation, filed and entered. (AEB-J)b
	Two c/c of J&O of P delivered to Probation. b
1-30	Order for issuance of bench warrant in re showing cause why probation should not be revoked, filed. (AEB-J)v -w/i
2-4-76	Appearance Bond in Amt. \$1,000.00 personal, filed, w/Ord. specifying methods & conditions of release. b
2-5-76	MO: Case is set for hearing on revocation of probation on 2-12-76, at 10:00 A.M. (AEB-J)b nts mld
2-9	Return on Warrant for Arrest of Deft. LaNear, fld. Rec'd 2-2-76 and executed 2-3-76 by arresting Deft. at Tulsa, OK. v
2-12	Case called for hearing on revocation of probation. Deft. present & represented. Govt. represented. Prob. officer Rod Baker sworn & gives statement regarding violations of probation. Art Ruby sworn & testifies as Deft. witness. Deft. sworn & testifies. Probation revoked. Deft. & co. asked if they have anything to say before sentence is pronounced: Revocation of Probation - Alvino Ray LaNear Ct. 1 - Atty. Gen. - Four (4) years Ct. 2 - Impos. of sentence is suspended & Deft. is placed on probation for period of three (3) years. Condition of probation is that Deft. make restitution in amt. of \$123.30 to Ct. clk. at rate of \$10 a month, to commence at expiration of sent. imposed in Ct. 1. Deft. remanded to USM. (AEB-J)b
2-12	Revocation of probation, filed & entered. (AEB-J)b
2-12	Two c/c of Rev. of Prob. to USM. b
2-12	Two c/c of Rev. of Prob. to Prob. b
2-12	Pltf's exhibit #1, filed. b
3-12	Revocation of Prob., ret. & filed: deft. delivered to Fed. Reformatory, El Reno, Ok. on 3-5-76. g
12-9-77	Motion to vacate, set aside, or correct sentence by a person in Federal Custody pursuant to 28 USC 2255, filed. ph
1978	
1-24	MO: Case referred to Mag. Rizley for recommendations to the Court. (AEB-J) ho
1-30	Order, fld. It is ordered that the respondent show cause in a response why the \$2255 mot. should not be granted w/in 10 days from the date hereof. (AEB-J) c/m ho
2-2	Pltf. mot. for ext. of time to plead or ans. fld. ho 0 to J.
2-6	Order, fld. it is ordered that the Respondent has from 2-10-78 to & including 2-22-78 to plead or ans. (AEB-J) c/m ho
2-8	Reporter's transcript of proceedings had on 2-12-76, Revocation of Probation, filed. (Glen R. Dorrough, CSR)k
2-21	Respondent USA memorandum in opposition to Movants mot. to vacate. fld. ho
5-31-78	Order, fld. & entered It is ordered that the mot. pursuant to 28 USC §2255 of Alvino Ray LaNear is overruled, denied & the case is dismissed. (AEB-J)ho c/m
9/21/79	Ltr rec'd from Prob. officer, W.D. of MO, re Deft's restitution payments to be made to Clerk, N.D. of OK. Probation Conditions attached. v
1-30-80	TRANSFER OF JURISDICTION re Probation to W.D. of MO. ho letter mld. ho
8-28-80	EXHIBIT #1 returned to govt. counsel. hm